



July 7, 2025

The Hon. Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

VIA ELECTRONIC MAIL

Re: Letter Motion for Postponement of Post-Mediation Status Update (ACGT Creative v. Cherry: 25-CV-587)

Judge Swain:

I write this letter on behalf of defendant and counter-claim plaintiff Mr. Zachary Cherry to request a one-week postponement of the joint Case Status Update currently calendared for July 11, 2025. Dkt. 37.

On May 21, 2025, the Court ordered that this action be referred to Magistrate Judge Lehrburger for mediation, and that the parties should file a joint letter by July 11, 2025 updating the Court on the status of the mediation and whether the stay of all other deadlines should be terminated. Dkt. 37. On May 23, 2025, Judge Lehrburger set the mediation for July 10, 2025. Dkt. 42. Since that time, pre-settlement conference and negotiations have taken place, and the parties are anticipating a productive mediation on July 10.

Regardless of the outcome of the mediation, the undersigned believes that a single day following the afternoon mediation will not be sufficient to negotiate a joint letter with opposing counsel that fully apprises the Court of the outcome and proposes to lift or continue the stay of deadlines. As a result, I respectfully request that the joint letter be postponed for one week, to July 18, 2025. No prior requests to postpone this deadline have been made. I have conferred with opposing counsel and they agree with this appraisal and support the request.

Thank you very much.

Sincerely,

/s/ Eric S. Rosen

Eric S. Rosen
DYNAMIS LLP
175 Federal Street, Ste. 1200
Boston, Massachusetts 02110
(617) 802-9157
erosen@dynamisllp.com

The foregoing request is granted. The parties are directed to file a joint letter by **July 18, 2025**, regarding the status of the mediation and whether the stay should be terminated and relevant deadlines reset.

SO ORDERED.

July 8, 2025

/s/ Laura Taylor Swain, Chief USDJ

DYNAMIS LLP

175 Federal Street, Suite 1200 | Boston, MA 02110 | (t) 617-802-9157